

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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TI PAYMENTS LLC,

Plaintiff(s),

v.

BEYOND WEALTH PTE LLC,

Defendant(s).

Case No. 2:20-CV-1405 JCM (VCF)

ORDER

Presently before the court is defendant Beyond Wealth PTE, LLC's motion to withdraw its emergency motion for release of funds without prejudice. (ECF No. 18). Plaintiff T1 Payments LLC responded. (ECF No. 19).

Having found "new facts and claims," defendant moves to withdraw its emergency motion to release funds without prejudice, because it intends to amend its complaint. (ECF No. 18). Plaintiff opposes defendant's ability to refile a motion to release funds and the resources expended on these motions—which had over four million dollars at stake—on an expedited basis. (ECF No. 19).

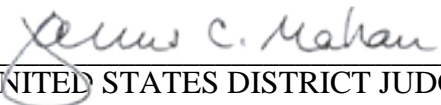
In first moving on an emergency basis, defendant represented that it would face "irreparable harm" from its inability to pay its employees and other obligations. (ECF No. 5). Defendant's actions here support this court's new finding that this matter is not in fact an emergency and that it may receive these funds, if warranted, through the regular course of litigation. *See* Local Rule 7-4(c).

Defendant's motion is withdrawn *with* prejudice. (ECF No. 5). Plaintiff may proceed to move for attorney's fees as it sees fit.

1 Accordingly,

2 IT IS SO ORDERED.

3 DATED August 19, 2020.

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UNITED STATES DISTRICT JUDGE